

IN THE HIGH COURT OF BOMBAY AT GOA

WRIT PETITION NO. 583 OF 2004

MADRASA RAZA-E-MUSTAFA WA
MASJID-E-GOUSIA A-AHLE

....Petitioners

Versus

SHRI ABDUL WAHAB GOKAK AND 5 ORS.,

....Respondents

Shri S. S. Kantak, Advocate for the petitioner.

Shri P. P. Singh, Advocate for the respondents No.1 to 4.

Coram:- R. M. LODHA, J.

Date:- 14th September, 2005

P.C.

Heard Mr. S.S. Kantak, the learned Counsel for the petitioner and Mr. P.P. Singh, the learned Counsel for the respondents No.1 to 4. Both the Courts below have concurrently held that removal of the respondents No.1 to 3 (the defendants No.1 to 3) from the Trust-Madrassa Raza-e-Mustafa wa Masjid-e-Gousia A-Ahle-Sunnatul Jamat Trust was improper. At prima facie stage, it is very difficult to take a different view.

The impugned orders do not suffer from any error of jurisdiction. No interference is called for.

The writ petition is dismissed in limine. However, this will not preclude the petitioners (the plaintiffs) in taking appropriate legal recourse in challenging the election of the managing committee that is said to have been constituted on 13.2.2005 for the year 2005-2007.

Looking into the controversy involved in the suit, hearing of the suit being Regular Civil Suit No.15/2004/C is expedited and the trial Court is expected to dispose of the said suit as expeditiously as possible

preferably within six months from the date of receipt of this order.

R. M. LODHA, J.